

## **KATHLEEN CLEVER**

### **ACCOMPLISHED ATTORNEY**

#### **Leadership, Advice and Counsel to Managers, HR and EEO, Policy Development, Training, Litigation**

Strategic self-motivated lawyer with experience within the government, in-house and with major law firms. Subject matter expertise in employment law, government contracting (acquisition), litigation including complex discovery issues, ediscovery, litigation holds, FOIA and ethics. Proficient in written and verbal communication, able to communicate complex ideas in a straightforward manner; resourceful and responsive. Skillful at working with teams and within matrixed organizations to reach timely and innovative solutions. Comfortable and successful in dealing with individuals at all functional levels and with opposing and outside counsel, agencies, customers, vendors and the public. Strong abilities to organize and manage processes, solve problems, bring focus to ambiguity, and make decisions.

**Licensed to practice law in Missouri and California.**

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### **PROFESSIONAL EXPERIENCE**

#### **Government**

**United States Environmental Protection Agency, Region 7, Lenexa, KS**

**Senior Assistant Regional Counsel**

**December 9, 2009 to the Present**

As GS-14 Attorney-Advisor responsible for General Law matters, handle Equal Employment Opportunity claims and issues, conduct fact findings, advise managers, labor and employment relations specialists and the EEO Office, represent agency in employment cases before administrative agencies and in district court. Research, interpret and apply government acquisition law in reviewing contract solicitations, representing the Region in protests and otherwise handling disputes, daily issues and an active contracts practice. Train agency managers and other employees on employment and ethics issues and have provided training and advice in the past on litigation, ediscovery, FOIA and other records and information management issues. See Statement of Interest submitted with this resume for more detailed projects and responsibilities at EPA

#### **In-House**

**Sanofi-Aventis Pharmaceuticals, Bridgewater, NJ**

**1993-2003**

**Senior Corporate Counsel (1993-2001).** Responsible for all legal aspects of human resources for North America, approximately 10,000 employees. Member of NA Human Resources Management Team and reported directly to North American General Counsel. Provided leadership within company through two mergers, several reductions in force, and a relocation of headquarters (including new legal department with few experienced staff). In bringing together managers from merging global companies, worked with line and staff executives from several countries and all levels to find common ground to develop cohesive policies for new company that preserved best culture and values of predecessors and helped employees identify with merged organization. Conducted and supervised employment litigation and EEOC investigations.

- Controlled litigation budgets and effectively and actively teamed with outside counsel.
- Advised senior executives in making critical employee relations decisions.
- Drafted policies, procedures and communications to associates.
- Supervised improvement of Affirmative Action Plans and conduct of OFCCP audits.
- Developed, delivered extensive training in EEO, diversity, positive associate relations (i.e., labor relations and organizing), business conduct (ethics), interviewing; received Top Instructor Award.
- Instrumental in reasoned, defensible reductions in force and executive severance.
- Led successful replevin of property purchased by former employee with company funds; involved in extensive business conduct policy drafting, roll-out, training and compliance; negotiated licensing and use agreement and contract terms for sales of assets and transfer of functions and employees to new owners of sold business segments; reviewed materials for FDA compliance.

**As Head of Human Resources (2001-2003)** for the Kansas City site (approximately 1,100 employees) and member of the Kansas City Management Council, shared responsibility for site metrics and led department of human resources managers, coordinators, training organization and administrative assistants, with its own annual budget. Dual reporting to Site Manager and to North American Vice President of Human Resources. Started focus on identifying, developing and rewarding top talent and initiated and developed a comprehensive year-long training program for first-line supervisors. Began wellness initiative that improved morale, provided health screening options for employees, and created a better system for tracking and controlling disability leaves and FMLA and reducing absenteeism.

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**University of California, Berkeley, CA. Litigation Counsel 1989-1990.** Successfully represented and tried cases (solo) for campuses within the university system in employment, constitutional and other litigation.

### **Private Practice**

**Clever & Clever, Attorneys at Law, Laurie, MO. 2003-2009.**

Started from scratch and with partner built a general practice firm in a lake resort town, focusing on litigation, employment, small business and real estate, including purchase and leasing. Ongoing counsel to several businesses, including real estate brokerages and banks; served as city attorney. State court trials and motion practice; federal bankruptcy hearings.

**Smith Gill Fisher & Butts, Kansas City, MO. 1993.**

Partner. Employment advice and litigation. In addition to client responsibility, at request of managing partner presented training to other partners; created and oversaw full day program on employment issues for business clients of the firm.

**Brobeck, Phleger & Harrison, San Diego, CA. 1990-1993.**

Litigation Counsel in 400-lawyer firm based in San Francisco. Employment, Intellectual Property, Business, including first chair hearings on injunctive relief and first and second chair trials in noncompete, tradename/dress and trade secret cases. Extensive motion practice. Pro bono work included representing Afghan refugee applying for immigration (asylum) and post-conviction pleadings in a capital murder case.

**Gray, Cary, Ames & Frye (now part of DLA Piper), San Diego, CA. 1986-1989.**

Associate in a 220-lawyer firm, now part of international firm DLA Piper. Litigation of employment, business, complex class actions; second chaired trials; extensive motion practice and work with expert witnesses.

**Hillix, Brewer, Hoffhaus & Whittaker (now part of Stinson Leonard Street), Kansas City, MO. 1982-1986.**

Associate; voted partner before relocating. Litigation. First chaired and won trials of employment, contract and tort cases.

### **Judicial Clerkship, Teaching, Public Service, Writing**

**United States District Court, Western District of Missouri, 1979-1982.**

As first Law Clerk to the Honorable Howard F. Sachs, U.S. District Judge, helped establish office and was asked to stay third year. Analyzed, researched and drafted opinions in complex cases and issues, primarily district court level but also appellate (when judge sitting with 8th Circuit).

**Webster University, graduate division, Kansas City, MO 1995 to 1998.**

Adjunct professor for two courses, Legal Aspects of Human Resources Management and Labor Relations.

**Arthur A. Benson II Law Offices, Kansas City, MO. Law clerk second and third years of law school.**

**Sharp & Black, P.C., Steamboat Springs, CO law clerk summer after first year law school.**

**Department of Social Services, Fayetteville, NC. Promoted to supervisor of 40-caseworker AFDC Eligibility Unit after only one year in the field as eligibility caseworker, while completing college evenings and weekends.**

**Richard P. Mills Advertising, Lee's Summit and Coalition Advertising, Fayetteville, NC. Advertising Copywriter.**

**The Korea Herald, Seoul, Korea. Wrote weekly feature column; copyeditor for wire news stories.**

### **EDUCATION**

Juris Doctor, University of Missouri-Kansas City. Law Review Member, Articles Editor of *Urban Lawyer*, member of National Moot Court Team, taught Appellate Advocacy I.

Bachelor of Arts, *magna cum laude*, Fayetteville State University, North Carolina.

As in-house counsel, selected for and completed Corporate Strategic Business Leadership Program, Global Leadership Forum, and Business Acumen Program. Have attended and presented numerous other formal training programs.